

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

LOS ANGELES LGBT CENTER

and

Case 31-CA-192549

**SERVICE EMPLOYEES INTERNATIONAL UNION
(SEIU), CTW-CLC, LOCAL 721**

ORDER¹

The Employer's Petition to Revoke- subpoena duces tecum B-1-WE37S7 is denied. The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations.² Further, the Employer has failed to establish any other legal basis for revoking the subpoena.

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² In considering the petition to revoke, we have evaluated the subpoena in light of the Region's modification in its opposition brief that it is narrowing the time period covered by the subpoena to June 12, 2016 through April 25, 2017

Although Chairman Miscimarra would evaluate the subpoena without consideration of the Region's post-petition modification of the time period (see *Caribbean Restaurants, LLC d/b/a Burger King*, Case 12-CA-189669 (June 6, 2017) (Chairman Miscimarra, dissenting in part); *Coca Cola Refreshments, Inc.*, Case 09-CA-186932 (May 8, 2017) (Chairman Miscimarra, dissenting in part)), he joins his colleagues in denying the petition to revoke because he agrees that the subpoena's original request for documents covering the time period of March 23, 2015 through April 25, 2017 was reasonable and relevant to the matters under investigation.

See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., August 14, 2017

PHILIP A. MISCIMARRA,	CHAIRMAN
MARK GASTON PEARCE,	MEMBER
LAUREN McFERRAN,	MEMBER